

Ordinance No. 119628

Council Bill No. 112857

The City of Seattle - Legislative Department
Council Bill/Ordinance sponsored by: _____

AN ORDINANCE relating to discrimination, clarifying ordinances prohibiting discrimination on the basis of gender identity by specifying it as a distinct protected class and reconciling lists of protected classes in the Seattle Municipal Code.

Committee Action

PASS 3-0

CF No. _____

Date Introduced: <u>AUG 23 1999</u>		
Date 1st Referred: <u>AUG 23 1999</u>	To: (committee)	Housing, Human Services and Civil Rights Committee
Date 2nd Referred:	To: (committee)	
Date 3rd Referred:	To: (committee)	
Date of Final Passage: <u>8/30/99</u>	Full Council Vote:	<u>8-0</u>
Date Presented to Mayor: <u>8/31/99</u>	Date Approved:	<u>AUG 31 1999</u>
Date Returned to City Clerk: <u>SEP 02 1999</u>	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

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33 pages

This file is complete and ready for presentation to Full Council.

[Signature]

Law Department

Law Dept. Review

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City Clerk
Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: STEINBRUECK
Councilmember

finances prohibiting discrimination on the
protected class and reconciling lists of

Committee Action:

PASS 3-0

using, Human
Services and Civil
Rights Committee

Overlaid

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(Initial/Date)

Robert Steinbrueck

Leg Department

AUG 31 1999

T.O.
F.T. ☒

32 pages

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ORDINANCE **119628**

AN ORDINANCE relating to discrimination, clarifying ordinances prohibiting discrimination on the basis of gender identity by specifying it as a distinct protected class and reconciling lists of protected classes in the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. SMC 3.14.910, subsection G is hereby amended as follows:

SMC 3.14.910 Director-Appointment.

There shall be a Director of the Office for Civil Rights who shall be appointed by the Mayor. Such appointment shall be subject to confirmation by a majority vote of all members of the City Council. The Director of the Office for Civil Rights shall not be included in the classified civil service. The Director of the Office for Civil Rights shall be the head of and, under the direction of the Mayor, shall be responsible for the administration of the office and in connection with such administration shall have duties and responsibilities including but not limited to the following:

G. After identifying priority issue areas, develop policies and programs, and seek additional funding sources in these areas, which seek to ameliorate the effects of dispute treatment and impact upon persons based on race, color, sex, marital status, parental status, sexual orientation, gender identity, political ideology, age, creed, religion, ancestry, national origin, ~~((or))~~ the presence of any sensory, mental or physical disability, the possession or use of a Section 8 rent certificate, or the use of a trained guide or service dog by a handicapped person;

Section 2. SMC 3.14.931, subsection B is hereby amended as follows:

SMC 3.14.931 Seattle Human Rights Commission - Duties.

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1 The Seattle Human Rights Commission shall act in an advisory capacity to the Mayor, City Council,
2 Office for Civil Rights and other City departments in respect to matters affecting human rights and in
3 furtherance thereof shall have the following specific responsibilities:

4 ***

5 B. To consult with and make recommendations to the Director of the Office for Civil Rights with
6 regard to problems arising in the City which may result in discrimination because of race, religion, creed,
7 color, national origin, sex, marital status, parental status, sexual orientation, gender identity, political
8 ideology, age, ancestry, ~~((or))~~ the presence of any sensory, mental, or physical disability, the possession or
9 use of a Section 8 rent certificate, or the use of a trained guide or service dog by a handicapped person, and
10 to make such investigations and hold such hearings as may be necessary to identify such problems;

11 Section 3. SMC 3.110.260 is hereby amended as follows:

12 SMC 3.110.260 Discrimination prohibited.

13 A. Neither council membership nor constituency membership may directly or indirectly be based upon
14 or limited by age, race, color, religion, sex, national origin, marital status, parental status, sexual orientation,
15 gender identity, political ideology, creed, ancestry, or the ~~((physical handicap of a capable person))~~ presence
16 of any sensory, mental or physical disability; provided, that council positions on a public corporation
17 emphasizing Indian arts or culture or services and programs oriented toward American Indians may be
18 filled by persons selected by organizations whose funding is substantially derived from public or private
19 grants or federal appropriations available only to organizations controlled by American Indians.

20 B. To assure equality of employment opportunity, the public corporation:

21 1. Will not discriminate in employment because of age, race, color, creed, religion, ancestry, sex,
22 national origin, marital status, sexual orientation, gender identity, or political ideology, or ~~((against a~~
23
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1 ~~physically handicapped person capable of performing the work--))~~ the presence of any sensory, mental or
2 physical disability;

3 2. Will take affirmative action to ensure that applicants are employed, and that employees are treated
4 during employment without regard to their age, race, color, religion, sex or national origin. This
5 requirement shall apply to but not be limited to the following: employment, upgrading, demotion, or
6 transfer; recruitment or recruitment activities; layoff or termination; rates of pay or other forms of
7 compensation; and selection for training, including apprenticeship. The public corporation shall post in
8 conspicuous places, available to employees and applicants for employment, notices setting forth the
9 provisions of this nondiscrimination clause. The public corporation will, in all solicitations or
10 advertisements for employees placed by or on behalf of the public corporation, state that all qualified
11 applicants will receive consideration for employment without regard to age, race, color, religion, sex or
12 national origin;

13 3. Will establish and maintain an affirmative action program to provide equality of employment
14 opportunity and to overcome the effects of past discrimination comparable to that maintained by the City
15 for employment by City departments and agencies, which shall meet the requirements of Ordinance 101548
16 and be reviewed on a quarterly basis by the City's Office for Civil Rights, or successor agency(s), and
17 secure its approval; provided, that public corporations employing fewer than four (4) persons shall not be
18 required to comply with the reporting requirements of Ordinance 101548, as amended; provided, a public
19 corporation emphasizing Indian arts or culture or services and programs oriented toward American Indians
20 may give preference in employment to American Indians when a grant agreement with the United States of
21 America or an Indian Tribe generating the employment so specifies.

22 C. In all housing projects and activities and in all housing related relocation activities, the public
23 corporation shall take affirmative action to further the fair housing laws and regulations of the City.
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Section 4. SMC 12A.06.115 is hereby amended as follows:

SMC 12A.06.115 Malicious harassment.

A. A person is guilty of malicious harassment if he or she maliciously and with the intent to intimidate or harass another person because of that person's gender identity, marital status, political ideology, age, or parental status:

1. Causes physical injury to another person; or

2. By threat places another person in reasonable fear of harm to his or her person or property or harm to the person or property of a third person, provided however, that it shall not constitute malicious harassment for a person to speak or act in a critical, insulting, or deprecatory way so long as his or her words or conduct do not constitute a threat of harm to the person or property of another person; or

3. Causes physical damage to or the destruction of the property of another person.

B. "Threat" means to communicate, directly or indirectly, the intent to:

1. Cause bodily injury to another; or

2. Cause damage to the property of another; or

3. Subject another person to physical confinement or restraint.

C. "Sexual orientation" includes heterosexuality, homosexuality, and bisexuality.

D. "Gender identity" means a person's identity, expression, or physical characteristics, whether or not traditionally associated with one's biological sex or one's sex at birth, including transsexual, transvestite, and transgendered, and including a person's attitudes, preferences, beliefs, and practices pertaining thereto.

~~((D-))~~E. Every person who, in the commission of malicious harassment, shall commit any other crime, may be punished therefor as well as for the malicious harassment, and may be prosecuted for each crime separately.

Section 5. SMC 14.04.030 is hereby amended as follows:

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SMC 14.04.030 Definitions.

When used in this chapter, unless the context otherwise requires:

A. "Charging party" means the person aggrieved by an alleged unfair employment practice or the person making a charge on another person's behalf, or the Director when the Director files a charge.

B. "City department" means any agency, office, board or commission of the City, or any Department employee acting on its behalf, but shall not mean a public corporation chartered under Ordinance 103387, or its successor ordinances, or any contractor, consultant, concessionaire or lessee.

C. "Commission" means the Seattle Human Rights Commission.

D. "Department" means the Office for Civil Rights of the City.

E. "Director" means the Director of the Office for Civil Rights.

F. "Discrimination," "discriminate," and/or "discriminatory act" means any act, by itself or as part of a practice, which is intended to or results in different treatment or differentiates between or among individuals or groups of individuals by reason of race, color, age, sex, marital status, sexual orientation, gender identity, political ideology, creed, religion, ancestry, national origin; or the presence of any sensory, mental or physical handicap.

G. "Employee" means any person employed by an employer.

H. "Employer" means any person who has four (4) or more employees, or the employer's designee or any person acting in the interest of such employer.

I. "Employment agency" means any person undertaking with or without compensation to procure opportunities to work or to procure, recruit, refer, or place individuals with an employer or in employment.

J. "Gender identity" means a person's identity, expression, or physical characteristics, whether or not traditionally associated with one's biological sex or one's sex at birth, including transsexual, transvestite, and transgendered, and including a person's attitudes, preferences, beliefs, and practices pertaining thereto.

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1 ~~((J-))~~K. "Labor organization" means any organization or employee group or association in which
2 employees participate and which exists for the purpose of (1) collective bargaining for or on behalf of
3 employees, (2) dealing with employers concerning grievances, labor disputes, terms or conditions of
4 employment, or (3) other mutual aid or protection of such employees in relation to their employment.

5 ~~((K-))~~L. "Marital status" means the presence or absence of a marital relationship and includes the status
6 of married, separated, divorced, engaged, widowed, single or cohabitating.

7 ~~((L-))~~M. "Party" includes the person charging or making a complaint or upon whose behalf a complaint
8 is made alleging an unfair employment practice, the person alleged or found to have committed an unfair
9 employment practice and the Office for Civil Rights.

10 ~~((M-))~~N. "Person" includes one (1) or more individuals, partnerships, associations, organizations, trade
11 or professional associations, corporations, public corporations, cooperatives, legal representatives, trustees,
12 trustees in bankruptcy and receivers, or any group of persons; it includes any owner, lessee, proprietor,
13 manager, agent or employee, whether one (1) or more natural persons, and further includes any department,
14 office, agency or instrumentality of the City.

15 ~~((N-))~~O. "Political ideology" means any idea or belief, or coordinated body of ideas or beliefs, relating to
16 the purpose, conduct, organization, function or basis of government and related institutions and activities,
17 whether or not characteristic of any political party or group. This term includes membership in a political
18 party or group and includes conduct, reasonably related to political ideology, which does not interfere with
19 job performance.

20 ~~((O-))~~P. "Respondent" means any person who is alleged or found to have committed an unfair
21 employment practice prohibited by this chapter.
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1 ((P-))Q. "Sexual orientation" means actual or perceived male or female heterosexuality, bisexuality, or
2 homosexuality, (~~transsexuality, or transvestism~~) and includes a person's attitudes, preferences, beliefs and
3 practices pertaining thereto.

4 Section 6. SMC 14.04.040 is hereby amended as follows:

5 SMC 14.04.040 Unfair employment practices designated.

6 It is unfair employment practice within the City for any:

7 A. Employer to discriminate against any person with respect to hiring, tenure, promotion, terms,
8 conditions, wages or privileges of employment, or with respect to any matter related to employment;

9 B. Employer, employment agency, or labor organization to discriminate by establishing, announcing or
10 following a policy of denying or limiting employment or membership opportunities to any person;

11 C. Employer, employment agency, or labor organization to print, circulate, or cause to be printed,
12 published or circulated, any statement, advertisement, or publication relating to employment or
13 membership, or to use any form of application therefor, which indicates any preference, limitation,
14 specification, or discrimination based upon race, color, sex, marital status, sexual orientation, gender
15 identity, political ideology, age, creed, religion, ancestry, national origin, or the presence of any sensory,
16 mental or physical handicap; provided that nothing in this chapter shall prevent an employer from
17 ascertaining and recording data as to race, color, sex, marital status, sexual orientation, gender identity,
18 political ideology, age, creed, religion, ancestry, national origin, or the presence of any sensory, mental or
19 physical handicap whether before or after employment, for the purpose of making reports specifically
20 required by agencies of federal, state or local government for the purpose of eliminating and preventing
21 discrimination or overcoming its effects, or for other purposes authorized by law or the rules and
22 regulations of Washington State Human Rights Commission, the Equal Employment Opportunities
23 Commission or the Department;
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1 D. Employment agency to discriminate against any person with respect to any reference for
2 employment, assignment as to job classification or otherwise;

3 E. Labor organization to discriminate against any person by limiting, segregating, or classifying its
4 membership in any way that would:

5 1. Deprive or tend to deprive any person of employment opportunities,

6 2. Limit any person's employment opportunities or otherwise adversely affect such person's status as
7 an applicant for employment or as an employee,

8 3. Adversely affect the wages, hours, or conditions of employment of any person;

9 F. Employer, employment agency, or labor organization to penalize or discriminate in any manner
10 against any person because they opposed any practice forbidden by this chapter or because they made a
11 charge, testified or assisted in any manner in any investigation, proceeding, or hearing initiated under the
12 provisions of this chapter;

13 G. Employer, employment agency, labor organization, or any joint labor-management committee
14 controlling apprenticeship or other training or retraining programs to discriminate against any person with
15 respect to admission to or participation in any guidance program, apprenticeship training program or other
16 occupational training program;

17 H. Publisher, firm, corporation, organization, or association printing, publishing or circulating any
18 newspaper, magazine or other written publication, to print or cause to be printed or circulated any
19 advertisement with knowledge that the same is in violation of Section 14.04.040 C, or to segregate and
20 separately designate advertisements as applying only to men or women unless such designation is a bona
21 fide occupational qualification reasonably necessary to the particular business or employment;

22 I. Person to:
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1 1. Knowingly and willfully aid, abet, initiate, compel, or coerce the doing of any act declared in this
2 chapter to be an unfair employment practice; provided that this subparagraph shall have no application to
3 any act declared to be an unfair employment practice under subsection H of this section,

4 2. Obstruct or prevent any person from complying with the provisions of this chapter,

5 3. Attempt directly or indirectly to commit any act declared by this section to be an unfair employment
6 practice.

7 Section 7. SMC 14.08.020 is hereby amended as follows:

8 SMC 14.08.020 Definitions.

9 Definitions as used in this chapter, unless additional meaning clearly appears from the context, shall have
10 the meanings subscribed:

11 A. "Charging party" means the person aggrieved by an unfair practice, or the person making a charge on
12 another person's behalf, or the Director when the Director files a charge.

13 B. "City" means The City of Seattle.

14 C. "City department" means any agency, office, board or commission of the City, or any department
15 employee acting on its behalf, but shall not mean a public corporation chartered under Ordinance 103387,
16 or its successor ordinances, or any contractor, consultant, or concessionaire or lessee.

17 D. "Commission" means the Seattle Human Rights Commission

18 E. "Department" means the Seattle Office for Civil Rights.

19 F. "Director" means the Director of the Office for Civil Rights.

20 G. "Discriminate" means any conduct, whether by single act or as part of a practice, the effect of which
21 is to adversely affect or differentiate between or among individuals or groups of individuals, because of
22 race, color, creed, religion, ancestry, national origin, age, sex, marital status, parental status, sexual
23 orientation, gender identity, political ideology, possession or use of a Section 8 rent certificate, the presence
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1 of any sensory, mental or physical handicap or the use of a trained guide or service dog by a handicapped
2 person.

3 H. "Dwelling" means any building, structure, or portion thereof which is occupied as, or is designed or
4 intended for occupancy as, a residence by one or more individuals or families, and any vacant land which is
5 offered for sale or lease for the construction or location thereon of any such building, structure, or portion
6 thereof.

7 I. "Full enjoyment of" includes the right to purchase any service, commodity, or article of personal
8 property offered or sold on, or by, any establishment to the public, and the admission of any person to
9 accommodations, advantages, facilities, or privileges of any place of public resort, accommodation,
10 assemblage, or amusement, without acts directly or indirectly causing persons of any particular race, color,
11 sex, marital status, parental status, sexual orientation, gender identity, political ideology, creed, religion,
12 national origin, ancestry, persons holding a Section 8 rent certificate, persons with any sensory, mental or
13 physical handicap, or handicapped persons using trained guide or service dogs, to be treated as not
14 welcome, accepted, desired or solicited.

15 J. "Gender identity" means a person's identity, expression, or physical characteristics, whether or not
16 traditionally associated with one's biological sex or one's sex at birth, including transsexual, transvestite,
17 and transgendered, and including a person's attitudes, preferences, beliefs, and practices pertaining thereto.

18 ((J))K. "Holder" means a person possessing a Section 8 rent certificate.

19 ((K))L. "Housing accommodations" includes any dwelling, rooming unit, rooming house, lot or parcel
20 of land in the City which is used, intended to be used, or arranged or designed to be used as, or improved
21 with, a residential structure for one (1) or more human beings.

22 ((L))M. "Lender" includes any bank, insurance company, savings or building and loan association,
23 credit union, trust company, mortgage company, or other person or agent thereof, engaged wholly or partly
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1 in the business of lending money for the financing or acquisition, construction, repair or maintenance of real
2 property.

3 ~~((M-))~~N. "Marital status" means the presence or absence of a marital relationship and includes the status
4 of married, separated, divorced, engaged, widowed, single or cohabitating.

5 ~~((N-))~~O. "Occupant" includes any person who has established residence or has the right to occupancy of
6 real property.

7 ~~((O-))~~P. "Owner" includes persons who own, lease, sublease, rent, operate, manage, have charge of,
8 control or have the right of ownership, possession, management, charge, or control of real property on their
9 own behalf or on behalf of another.

10 ~~((P-))~~Q. "Parental status" means being a parent, step-parent, adoptive parent, guardian, foster parent or
11 custodian of a minor child or children under the age of eighteen (18) years, or the designee of a parent or
12 other person having legal custody of a child or children under the age of eighteen (18) years, with the
13 written permission of such parent or other person, which child or children shall reside permanently or
14 temporarily or shall seek full enjoyment of any place of public accommodation with such parent or other
15 person. In addition, parental status shall refer to any person who is pregnant or who is in the process of
16 acquiring legal custody of any person who has not yet attained the age of eighteen (18) years.

17 ~~((Q-))~~R. "Party" includes the person charging or making a charge or complaint or upon whose behalf a
18 complaint is made alleging an unfair practice, the person alleged or found to have committed an unfair
19 practice and the Office for Civil Rights.

20 ~~((R-))~~S. "Person" includes one (1) or more individuals, partnerships, organizations, trade or professional
21 associations, corporations, legal representatives, trustees, trustees in bankruptcy and receivers. It includes
22 any owner, lessee, proprietor, manager, agent or employee, whether one (1) or more natural persons, and
23 further includes any political or civil subdivisions or agency or instrumentality of the City.
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1 ~~((S-))~~T. "Place of public accommodation:" includes, but is not limited to, any place, licensed or
2 unlicensed, kept for gain, hire or reward, or where charges are made for admission, service, occupancy or
3 use of any property or facilities, whether conducted for the entertainment, housing or lodging of transient
4 guests, or for the benefit, use or accommodation of those seeking health, recreation or rest, or for the burial
5 or other disposition of human remains, or for the sale of goods, merchandise, services or personal property,
6 or for the rendering of personal services, or for public conveyance or transportation on land, water, or in the
7 air, including the stations and terminals thereof and the garaging of vehicles, or where food or beverages of
8 any kind are sold for consumption on the premises, or where public amusement, entertainment, sports or
9 recreation of any kind is offered with or without charge, or where medical service or care is made available,
10 or where the public gathers, congregates or assembles for amusement, recreation or public purposes, or
11 public halls, public elevators, and public washrooms of buildings and structures occupied by two (2) or
12 more tenants, or by the owner and one (1) or more tenants, or any public library or private educational
13 institution, or private schools of special instruction, or nursery schools, or day care centers or children's
14 camps.

15 ~~((F-))~~U. "Political ideology" means any idea or belief, or coordinated body of ideas or beliefs, relating to
16 the purpose, conduct, organization, function or basis of government and related institutions and activities,
17 whether or not characteristic of any political party or group. This term includes membership in a political
18 party or group and includes conduct, reasonably related to political ideology, which does not interfere with
19 the property rights of the landowner as it applies to housing, or which does not cause substantial and
20 material disruption of the property rights of the provider of a place of public accommodation.

21 ~~((U-))~~V. "Prospective borrower" includes any person who seeks to borrow money to finance the
22 acquisition, construction, repair, or maintenance of real property.
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1 ~~((V-))~~W. "Prospective occupant" includes any person who seeks to purchase, lease, sublease or rent real
2 property.

3 ~~((W-))~~X. "Real estate agent, salesperson or employee" includes any person employed by, associated with
4 or acting for a real estate broker to perform or assist in the performance of any or all of the functions of a
5 real estate broker.

6 ~~((X-))~~Y. "Real estate broker" includes any person who for a fee, commission, or other valuable
7 consideration, lists for sale, sells, purchases, exchanges, leases or subleases, rents, or negotiates or offers or
8 attempts to negotiate the sale, purchase, exchange, lease, sublease or rental of real property of another, or
9 holds themselves out as engaged in the business of selling, purchasing, exchanging, listing, leasing,
10 subleasing, or renting real property of another, or collects the rental for use of real property of another.

11 ~~((Y-))~~Z. "Real estate-related transaction" means any of the following:

12 1. The making or purchasing of loans or providing other financial assistance:

- 13 a. For purchasing, constructing, improving, repairing, or maintaining real property; or
14 b. Secured by real property; or

15 2. The selling, brokering, or appraising or real property.

16 ~~((Z-))~~AA. "Real property" includes housing accommodations, buildings, structures, real estate, lands,
17 tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal
18 and incorporeal, or any interest therein.

19 ~~((AA-))~~BB. "Respondent" means any person who is alleged to have committed an unfair practice
20 prohibited by this chapter.

21 ~~((BB-))~~CC. "Rooming unit" includes one (1) or more rooms within a dwelling or rooming house
22 containing space for living and sleeping.
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1 ~~((EE))~~DD. "Section 8 rent certificate" means a document issued by a government agency declaring the
2 holder thereof eligible to participate in the Section 8 program and stating the terms and conditions of such
3 participation.

4 ~~((DD))~~EE. "Section 8" means a federal, state or local government program in which a tenant's rent is
5 paid partially by the government program (through a direct contract between the government program and
6 the owner or lessor of the real property), and partially by the tenant.

7 ~~((EE))~~FF. "Sexual orientation" means actual or perceived male or female heterosexuality, bisexuality, or
8 homosexuality, ~~((transsexuality, or transvestitism-))~~ and includes a person's attitudes, preferences, beliefs
9 and practices pertaining thereto.

10 Section 8. SMC 14.08.040 is hereby amended as follows:

11 SMC 14.08.040 Unfair practices-Generally.

12 A. It is an unfair real estate practice for any owner, assignee, real estate broker, real estate agent,
13 salesperson or employee, or other person having the right to sell, rent, lease, sublease, assign, transfer, or
14 otherwise dispose of real property, to discriminate by undertaking or refusing to sell, rent, lease, sublease,
15 assign, transfer or otherwise deny to or withhold from any person or group of persons such real property, or
16 refuse to negotiate for the sale, rental, lease, sublease, assignment or transfer of real property, or segregate
17 the use thereof, or represent that such real property is not available for inspection, when in fact it is so
18 available, or expel or evict an occupant from real property or otherwise make unavailable or deny a
19 dwelling because of the person's race, color, creed, religion, ancestry, national origin, age, sex, marital
20 status, sexual orientation, gender identity, parental status, political ideology, possession or use of a Section
21 8 certificate, or the presence of any sensory, mental or physical handicap, or the use of a trained guide or
22 service dog by a handicapped person, or to discriminate against or segregate any person because of such
23 person's race, color, religion, ancestry, national origin, age, sex, marital status, sexual orientation, gender
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1 identity, parental status, political ideology, possession or use of a Section 8 certificate, or the presence of
2 any sensory, mental or physical handicap or the use of a trained guide or service dog by a handicapped
3 person in the terms, conditions or privileges of the sale, rental, lease, sublease, assignment, transfer or other
4 disposition of any such real property, including but not limited to the setting of rates for rental or lease, or
5 establishment of damage deposits, or other financial conditions for rental or lease, or in the furnishing of
6 facilities or services in connection therewith.

7 B. It is an unfair real estate practice to unreasonably prohibit modifications needed by a handicapped
8 tenant. Whether or not the landlord permits tenants in general to make alterations or additions to a structure
9 or fixtures, it is an unfair practice for a landlord to refuse to make reasonable accommodations in rules,
10 policies, practices, or services, when such accommodations may be necessary to afford a handicapped
11 person equal opportunity to use and enjoy and dwelling, or to refuse to allow a person to make alterations or
12 additions to existing premises occupied or to be occupied by a handicapped person, which are necessary to
13 make the rental property accessible by handicapped persons, under the following conditions:

14 1. The landlord is not required to pay for the alterations, additions, or restoration.

15 2. The landlord may reserve the right to approve the design, quality, and construction of the alterations or
16 additions in order to minimize damage to the building and enforce standards of quality and architectural
17 compatibility.

18 3. The landlord may, where it is reasonable to do so, condition permission for modification on the renter's
19 agreeing to restore the interior of the premises to the condition that existed before the modification,
20 reasonable wear and tear excepted.

21 C. It is an unfair real estate practice under this chapter for any person to design a building or structure that
22 does not conform with the Federal Fair Housing Act as amended, 42 U.S.C. §3601 et seq., the Washington
23 State Barrier Free Act, WAC Ch. 51-10, any other applicable laws pertaining to access by handicapped
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persons, or any rules or regulations promulgated thereunder. Whenever the requirements of the applicable laws shall differ, those which require greater accessibility for handicapped persons shall govern.

D. It is an unfair practice for any person or his or her agent or employee to commit an act which directly or indirectly requires any person to pay a larger sum than the uniform rates charged other persons, or to refuse or withhold from any person the admission, patronage, custom, presence, frequenting, dwelling, staying, or lodging in any place of public accommodation, or to deny, directly or indirectly, any person the full enjoyment of any of the goods, services, accommodations, facilities, privileges or advantages in any place of public accommodation because of the person's race, color, religion, ancestry, sex, marital status, parental status, sexual orientation, gender identity, political ideology, creed, national origin, possession or use of a Section 8 rent certificate, sensory, mental or physical handicap, or the use of a trained guide or service dog by a handicapped person, except for conditions and limitations established by law and applicable to all persons regardless of race, color, religion, ancestry, sex, marital status, parental status, sexual orientation, gender identity, political ideology, creed, national origin, possession or use of a Section 8 rent certificate, sensory, mental or physical handicap, or the use of a trained guide or service dog by a handicapped person.

E. It is an unfair practice for any person, agent or employee to print, circulate, post, mail or otherwise cause directly or indirectly to be published a statement, advertisement or sign which indicates directly or indirectly that the full enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation will be refused, withheld from, denied or in some manner limited or restricted toward an individual; or that an individual's patronage of or presence at a place of public accommodation is objectionable, unwelcome, unacceptable or undesirable because of a person's race, color, religion, creed, ancestry, national origin, sex, marital status, parental status, sexual orientation, gender identity, possession or use of a Section 8 rent certificate, sensory, mental or physical handicap, or handicapped person's use of a trained guide or service dog.

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Section 9. SMC 14.08.070 is hereby amended as follows:

SMC 14.08.070 Unfair inquiries or advertisements.

It is an unfair real estate practice for any owner, real estate agent, salesperson or employee, real estate broker, or any other person, to:

A. Require any information, make or keep any record, or use any form of application containing questions or inquiries concerning race, color, religion, ancestry, creed, national origin, age, sex, marital status, sexual orientation, gender identity, parental status, political ideology, possession or use of a Section 8 rent certificate, the presence of any sensory, mental or physical handicap, or the use of a trained guide or service dog by a handicapped person in connection with the sale, rental, lease or sublease of any real property unless used solely:

1. For making reports required by agencies of the federal, state or local government for the purposes of preventing and eliminating discrimination or of overcoming its effects or for other purposes authorized by federal, state or local agencies or laws or rules adopted thereunder,

2. As to "marital status," for the purpose of determining applicability of community property law to the individual case, and

3. As to "age," for the purpose of determining that the applicant has attained the age of majority, or in the case of housing exclusively for older persons as described in SMC Section 14.08.190 E, for the purpose of determining the eligibility of the applicant;

B. Publish, circulate, issue or display or cause to be published, circulated, issued or displayed, any communication, notice, advertisement, or sign of any kind relating to the sale, rental, lease, sublease, assignment, transfer, or listing of real property which indicate any preference, limitation or specification based on race, color, religion, ancestry, creed, national origin, age, sex, marital status, sexual orientation, gender identity, parental status, political ideology, the possession or use of a Section 8 certificate, ~~((or))~~ the

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1 presence of any sensory, mental or physical handicap, or the use of a trained guide or service dog by a
2 handicapped person.

3 Section 10. SMC 14.08.080 is hereby amended as follows:

4 SMC 14.08.080 Unfair inducement to sell or rent-Blockbusting; steering persons to particular areas.

5 It is an unfair real estate practice for any owner, real estate agent, salesperson or employee, real estate
6 broker, or any other person, to, for profit:

7 A. Promote, induce or attempt to promote or induce any person to sell or rent any real property by
8 representation regarding the entry or prospective entry into the neighborhood or area of a person or persons
9 of a particular race, color, religion, ancestry, creed, national origin, age, sex, marital status, sexual
10 orientation, gender identity, parental status, political ideology, or who possess, use or attempt to use a
11 Section 8 rent certificate, or who have any sensory, mental or physical handicap, or handicapped persons
12 who use a trained guide or service dog;

13 B. Show or otherwise take any action, the design or effect of which is to steer a person or persons to any
14 section of the City or to particular real property in a manner tending to segregate or maintain segregation on
15 the basis of race, color, religion, ancestry, creed, national origin, age, sex, marital status, sexual orientation,
16 gender identity, parental status, political ideology, possession or use of a Section 8 rent certificate, the
17 presence of any sensory, mental or physical handicap, or the use of a trained guide or service dog by a
18 handicapped person.

19 Section 11. SMC 18.12.280 is hereby amended as follows:

20 SMC 18.12.280 Discrimination prohibited.

21 A. It is the policy of the City, in the exercise of its police powers for the protection of the public health,
22 safety and general welfare, and for the maintenance of peace and good government, to assure equal
23 opportunity for full enjoyment and use of park facilities to all persons, free from restrictions because of
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1 race, color, sex, marital status, sexual orientation, gender identity, political ideology, age, creed, religion,
2 ancestry, national origin or the presence of any sensory, mental or physical handicap.

3 B. It is unlawful for any person occupying or using any park or recreation facility for any event, activity or
4 exhibition open to the public, whether or not under a permit and whether or not an admission or entrance
5 fee is charged, to deny to any other person the full use and enjoyment of such park and recreation facility
6 because of race, creed, color, sex, marital status, sexual orientation, gender identity, political ideology, age,
7 religion, ancestry, national origin or the presence of any sensory, mental or physical handicap. In addition
8 to other sanctions, the permit of any person who is convicted of a violation of this section, for access or use
9 of such park and recreation facility may be canceled and after notice and hearing, the Superintendent may
10 order that such person shall not be eligible for any similar permit for access to, or use of, a park and/or
11 recreation facility for a period up to three (3) years.

12 C. Where applicable, the term "deny" shall have the meaning in RCW 9.91.010, as now or hereafter
13 amended; the terms "full enjoyment of" and "person" shall have the meaning in RCW 49.60.040, as now or
14 amended.

15 D. Nothing in this section shall prohibit the exercise of constitutional liberties or the use of a bona fide
16 qualification or restriction that does not infringe upon civil rights or civil liberties recognized by state law or
17 City ordinance.

18 Section 12. SMC 20.44.040 is hereby amended as follows:

19 SMC 20.44.040 Lease and concession contracts.

20 A. All contracts of the City for leases and concessions shall contain the following provisions:

21 "The lessee (contractor) agrees to comply with all state and local laws prohibiting discrimination with
22 regard to creed, religion, race, age, color, sex, marital status, sexual orientation, gender identity, political
23 ideology, ancestry, national origin, or the presence of any sensory, mental or physical handicap."
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1 B. All contracts of the City for leases and concessions of seven (7) consecutive days' duration or longer
2 and involving employers with three (3) or more employees shall contain the following provisions:

3 "During the performance of this contract, the lessee (contractor) agrees as follows:

4 "The lessee (contractor) will not discriminate against any employee or applicant for employment because
5 of creed, religion, race, age, color, sex, marital status, sexual orientation, gender identity, political ideology,
6 ancestry, national origin, or the presence of any sensory, mental or physical handicap, unless based upon a
7 bona fide occupational qualification. The lessee (contractor) will take affirmative action to ensure that
8 applicants are employed, and that employees are treated during employment without regard to their creed,
9 religion, race, age, color, sex, national origin, marital status, political ideology, ancestry, sexual orientation,
10 gender identity or the presence of any sensory, mental or physical handicap. Such action shall include, but
11 not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment
12 advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training,
13 including apprenticeship. The lessee (contractor) agrees to post in conspicuous places available to
14 employees and applicants for employment, notices to be provided by the contracting officer setting forth the
15 provisions of this nondiscrimination clause. The lessee (contractor) will take affirmative action to ensure
16 that all of its employees, agents and subcontractors adhere to these provisions; provided, nothing herein
17 shall prevent an employer from giving preference in employment to members of his/her immediate family.

18 "Lessee (contractor) will, upon the request of the Director (as used herein Director means the Executive
19 Services Director, or his/her designee) furnish to the Director on such form as may be provided therefor, a
20 report of the affirmative action taken by the lessee (contractor) in implementing the terms of this provision,
21 and will permit access to his records of employment, employment advertisements, application forms, other
22 pertinent data and records requested by the Director for the purpose of investigation to determine
23 compliance with these provisions.
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1 "If, upon investigation, the Director determines that there is probable cause to believe that the lessee
2 (contractor) has failed to comply with any of the terms of these provisions, the lessee (contractor) shall be
3 so notified in writing. The contracting authority shall give the lessee (contractor) an opportunity to be heard,
4 after ten (10) days' notice. If the contracting authority concurs in the findings of the Director, it may
5 suspend or terminate this lease (contract) and evict lessee (terminate the contract) in accordance with law.

6 "Failure to comply with any of the terms of these provisions shall be material breach of this lease
7 (contract)."

8 "The foregoing provisions will be inserted in all subleases (subcontracts) entered into under this lease
9 (contract)."

10 Section 13. SMC 20.44.050 is hereby amended as follows:

11 SMC 20.44.050 Supplies, materials and equipment contracts.

12 A. All contracts of the City for the purchase of supplies, materials, or equipment shall contain the
13 following provisions:

14 "During the performance of this contract, the vendor agrees as follows:

15 "The vendor will not discriminate against any employee or applicant for employment because of creed,
16 religion, race, age, color, sex, marital status, sexual orientation, gender identity, political ideology, ancestry,
17 national origin, or the presence of any sensory, mental or physical handicap, unless based upon a bona fide
18 occupational qualification. The vendor will take affirmative action to ensure that applicants are employed,
19 and that employees are treated during employment, without regard to their creed, religion, race, age, color,
20 sex, national origin, marital status, political ideology, ancestry, sexual orientation, gender identity or the
21 presence of any sensory, mental or physical handicap. Such action shall include, but not be limited to the
22 following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or
23 termination, rates of pay or other forms of compensation, and selection for training, including
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1 apprenticeship. The vendor agrees to post in conspicuous places, available to employees and applicants for
2 employment, notices to be provided by the contracting officer setting forth the provisions of this
3 nondiscrimination clause."

4 B. Before any City contracting authority accepts any bid or enters into any contract for the purchase of
5 supplies, materials, or equipment the vendor shall be prequalified to do business with the City as provided
6 for in this section, provided that the contracting authority may waive the requirement of prequalification
7 whenever it finds and certifies after investigation that:

8 1. Needed supplies, materials or equipment are available only from a single source and that the vendor
9 has failed to comply with the requirements for prequalification; or

10 2. An emergency exists which requires the immediate purchase of supplies, materials, or equipment
11 and for which the contracting authority is authorized to secure the supplies, materials, or equipment in the
12 open market, without advertisement, at the lowest obtainable price, and that the vendor of the supplies,
13 materials, or equipment is not currently disqualified from doing business with the City by reason of its
14 removal from prequalified status or its failure to satisfy the prequalification requirements pursuant to its
15 application for prequalification.

16 C. City contracting authorities purchasing supplies, materials, or equipment shall cause notice of this
17 prequalifying requirement to be included in all invitations to bid and to be conspicuously displayed in all
18 offices purchasing supplies, materials, or equipment for the City.

19 D. A vendor shall be deemed to be prequalified when the contracting authority, with the advice and
20 recommendations of the Director, finds that:

- 21 1. The vendor is complying with federal, state, and local laws regarding discrimination;
22 2. The vendor has satisfactorily completed and filed with the Director on such form as the Director
23 provides therefor, the following information:
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1 a. An employment profile which may include the number of employees, their protected class status,
2 and the type of work each performs by general categories, and such other information as requested by the
3 Director, and

4 b. A sworn statement as set out in Section 20.44.070 which shall become terms and conditions of
5 any and all contracts of the vendor with the City for the purchase of supplies, materials, or equipment.

6 E. A contracting authority may assume that a vendor has satisfied the requirements for prequalifying if
7 the Director does not notify the contracting authority to the contrary within three (3) working days of the
8 submission to the Director by the vendor of all information and sworn statements required to prequalify.

9 F. Whenever the contracting authority, with the advice of the Director, finds that a contractor's sworn
10 statement is in need of review or updating, he/she shall so notify the vendor who shall take steps as
11 necessary to review or update his/her sworn statement to meet the contracting authority's requirements,
12 provided that if changes in the sworn statement would have a substantial financial impact on the contractor
13 with regard to contracts already entered into the changes shall not apply to such contracts.

14 G. If upon investigation the Director determines that there is probable cause to believe that the vendor
15 has failed to comply with any of the terms of this section or with the obligations of the sworn statement,
16 written findings as to each such probable breach shall be given by the Director to the vendor and the
17 contracting authority. The contracting authority shall give the vendor an opportunity to be heard, after ten
18 (10) days' notice. If the contracting authority concurs in the findings of the Director, it may cancel or
19 suspend the vendor's prequalification.

20 Section 14. SMC 20.44.030 is hereby amended as follows:

21 SMC 20.44.030 Franchises, consultant, public improvement and services contracts.

22 All consultant contracts, franchises, and contracts for public improvements, or services, the estimated
23 cost of which exceeds One Thousand Dollars (\$1,000.00), shall contain the following provisions:
24



1 "During the performance of this contract, the contractor agrees as follows:

2 "The contractor will not discriminate against any employee or applicant for employment because of race,
3 religion, creed, age, color, sex, marital status, sexual orientation, gender identity, political ideology,
4 ancestry, national origin, or the presence of any sensory, mental or physical handicap, unless based upon a
5 bona fide occupational qualification. The contractor will take affirmative action to ensure that applicants are
6 employed, and that employees are treated during employment, without regard to their creed, religion, race,
7 age, color, sex, national origin, marital status, political ideology, ancestry, sexual orientation, gender
8 identity or the presence of any sensory, mental or physical handicap. Such action shall include, but not be
9 limited to the following: employment, upgrading, demotion, or transfer, recruitment, or recruitment
10 advertising, layoff or termination rates of pay or other forms of compensation, and selection for training,
11 including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and
12 applicants for employment, notices to be provided by the contracting officer setting forth the provisions of
13 this nondiscrimination clause.

14 "The contractor will, prior to commencement and during the term of this contract, furnish to the
15 Executive Services Director (as used herein Director means the Executive Services Director or his/her
16 designee) upon his/her request and on such form as may be provided by the Director therefor, a report of the
17 affirmative action taken by the contractor in implementing the terms of these provisions, and will permit
18 access to his/her records of employment, employment advertisements, application forms, other pertinent
19 data and records requested by the Director for the purposes of investigation to determine compliance with
20 this provision.

21 "If upon investigation the Director finds probable cause to believe that the contractor has failed to comply
22 with any of the terms of these provisions, the contractor and the contracting authority shall be so notified in
23 writing. The contracting authority shall give the contractor an opportunity to be heard, after ten (10) days'
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1 notice. If the contracting authority concurs in the findings of the Director, it may suspend the contract
2 and/or withhold any funds due or to become due to the contractor, pending compliance by the contractor
3 with the terms of these provisions.

4 "Failure to comply with any of the terms of these provisions shall be a material breach of this contract.

5 "The foregoing provisions will be inserted in all subcontracts for work covered by this contract."

6 Section 15. SMC 14.08.190 is hereby amended as follows:

7 SMC 14.08.190 Exclusions.

8 Nothing in this chapter shall: A. Apply to the renting, subrenting, leasing or subleasing of a single-family
9 dwelling, wherein the owner or person entitled to possession thereof maintains a permanent residence,
10 home or abode;

11 B. Be interpreted to prohibit any person from making a choice among prospective purchasers or tenants of
12 real property on the basis of factors other than race, color, religion, ancestry, national origin, age, sex,
13 marital status, parental status, sexual orientation, gender identity, political ideology, creed, possession or use
14 of a Section 8 rent certificate, ~~((or))~~ presence of any sensory, mental or physical handicap, or the use of a
15 trained guide or service dog by a handicapped person where such factors are not designed, intended or used
16 to discriminate;

17 C. Prohibit a religious organization, association, or society, or any nonprofit institution or organization
18 operated, supervised or controlled by or in conjunction with a religious organization, association, or society,
19 from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a
20 commercial purpose to persons of the same religion, or from giving preference to such persons, unless
21 membership in such religion is restricted on account of race, color, or national origin;

22 D. Prohibit any person from limiting the rental or occupancy of housing accommodations in any YWCA,
23 YMCA, sorority, fraternity, school dormitory, or similar residential hall to persons of one sex;
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1 E. Prohibit any person from limiting the rental or occupancy of housing accommodations to persons who
2 are elderly or handicapped in any housing facility designed, constructed or substantially rehabilitated and
3 operated exclusively for older persons, as defined by the Federal Fair Housing Act, as amended, 42 U.S.C.
4 Sec. 3607 (b)(1) through (4) as of the effective date of the ordinance codified in this chapter, or for the
5 handicapped;

6 F. Require any person to rent or lease a housing accommodation to an unemancipated minor;

7 G. Require any person to rent or lease a housing accommodation in violation of the Housing Code;

8 H. Be construed to prohibit treating handicap((-))ped persons more favorably than non-handicapped
9 persons;

10 I. Be construed to protect criminal conduct;

11 J. Prohibit any person from limiting the rental or occupancy of housing accommodations on the basis of
12 conduct by an occupant or prospective occupant which involves the use of force or violence or advocacy
13 directed to producing or inciting imminent force or violence to the person or property of the owner,
14 manager, or other person having the right to sell, rent, lease, assign, transfer or otherwise dispose of the real
15 property occupied or sought to be occupied.

16 K. As it pertains to place of public accommodations, be construed to include or apply to any institute, bona
17 fide club or place of accommodation which is by its nature distinctly private, though where public use is
18 permitted that use shall be covered by this chapter; nor be construed to apply to any noncommercial facility
19 operated or maintained by a bona fide religious institution;

20 L. As it pertains to place of public accommodation, be construed to require structural changes,
21 modifications, or additions to make any place accessible to a handicapped person except as otherwise
22 provided by law;

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1 M. Be construed to prohibit any person from denying another person the full enjoyment of a place of
2 public accommodation because of actions by the person seeking full enjoyment of the place of public
3 accommodation that constitute a risk to property or to other persons.

4 Section 16. SMC 14.08.090 is hereby amended as follows:

5 SMC 14.08.090 Denial of right granted under this chapter

6 A. It is an unfair practice under this chapter for any person, whether or not acting for profit, to harass,
7 intimidate, or otherwise abuse or discriminate against any person or person's friends or associates because
8 of the race, color, religion, ancestry, national origin, age, sex, marital status, sexual orientation, gender
9 identity, parental status, political ideology, possession or use of a Section 8 rent certificate, the presence of
10 any sensory, mental or physical handicap, or the use of a trained guide or service dog by a handicapped
11 person with the purpose or effect of denying to such person the rights granted in this chapter or the right to
12 quiet or peaceful possession or enjoyment of any real property or the full enjoyment of any place of public
13 accommodation.

14 B. Any unfair practice under this section which has the purpose or effect of denying a person the right to
15 be free from discrimination in real estate practices or the right to quiet or peaceful possession or enjoyment
16 of real property (other than as a place of public accommodation) is an unfair real estate practice.

17 Section 17. SMC 14.08.060 is hereby amended as follows:

18 SMC 14.08.060 Discrimination in real estate-related transactions.

19 It is an unfair real estate practice for any lender, or any agent or employee thereof, to whom application is
20 made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair, or
21 maintenance of any real property, or any other person whose business includes engaging in real estate-
22 related transactions, to:

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1 A. Discriminate against any person, prospective occupant or tenant of real property in the granting,
2 withholding, extending, making available, modifying or renewing, or in the rates, terms, conditions or
3 privileges of, any such financial assistance, or in the extension of services in connection therewith; or

4 B. Use any form of application for such financial assistance or make any record of inquiry in connection
5 with applications for such financial assistance which expresses, directly or indirectly, any limitation,
6 specification, or discrimination because of race, color, religion, creed, ancestry, national origin, sex, age,
7 marital status, sexual orientation, gender identity, parental status, political ideology, possession or use of a
8 Section 8 rent certificate, ~~((or))~~ the presence of any sensory, mental or physical handicap, or the use of a
9 trained guide or service dog by a handicapped person, unless required or authorized by local, state or federal
10 laws or agencies for the purpose of preventing discrimination in real property; provided that nothing in this
11 provision shall prohibit any party to a credit transaction from requesting designation of marital status for the
12 purpose of considering application of community property law to the individual case or from taking
13 reasonable action thereon or from requesting information regarding age, parental status, or possession or
14 use of a Section 8 rent certificate when such information is necessary to determine the applicant's ability to
15 repay the loan.

16 Section 18. SMC 14.08.055 is hereby amended as follows:

17 SMC 14.08.055 Participation in multiple listing service.

18 It is an unfair real estate practice to deny a person access to, or membership or participation in, a multiple
19 listing service or real estate brokers' organization or other service because of race, color, creed, religion,
20 ancestry, national origin, age, sex, marital status, sexual orientation, gender identity, parental status,
21 political ideology, possession or use of a Section 8 certificate, ~~((or))~~ the presence of any sensory, mental, or
22 physical handicap or the use of a trained guide or service dog by a handicapped person.

23 Section 19. SMC 14.08.050 is hereby amended as follows:
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SMC 14.08.050 Refusal or failure to list or show property.

It is an unfair real estate practice for any real estate broker or real estate agent, salesperson or employee to, because of race, color, creed, religion, ancestry, national origin, age, sex, marital status, sexual orientation, gender identity, parental status, political ideology((~~of~~)), the presence of any sensory, mental or physical disability, the use of a trained guide or service dog by a handicapped person, or the possession((;)) or use((; or attempted use)) of ((~~use~~)) a Section 8 rent certificate by((;)) an occupant, purchaser, prospective occupant, or prospective purchaser:

A. Refuse or intentionally fail to list or discriminate in listing real property for sale, rent, lease or sublease;

B. Refuse or intentionally fail to show a prospective occupant real property listed for sale, rental, lease or sublease;

C. Refuse or intentionally fail to accept and/or transmit to an owner any reasonable offer to purchase, lease, rent or sublease real property.

Section 20. SMC 14.04.020 is hereby amended as follows:

SMC 14.04.020 Declaration of policy.

A. It is declared to be the policy of the City, in the exercise of its police powers for the protection of the public health, safety, and general welfare, and for the maintenance of peace and good government, to assure equal opportunity to all persons, free from restrictions because of race, color, sex, marital status, sexual orientation, gender identity, political ideology, age, creed, religion, ancestry, national origin, or the presence of any sensory, mental or physical disability. The role of the Office for Civil Rights is to enforce the provisions of this chapter in furtherance of this policy.

B. This chapter shall not be construed to endorse specific beliefs, practices or lifestyles.

C. The provisions of this chapter shall apply to both private employers and the City, and shall be liberally construed for accomplishment of its policies and purposes; provided that nothing in this chapter

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1 shall be construed so as to infringe upon the authority vested in the Civil Service Commission, the Public
2 Safety Civil Service Commission, and City Departments by the City Charter.

3 D. Nothing in this chapter shall be deemed to deny any person the right to institute any action or to
4 pursue any civil or criminal remedy for the violation of such person's civil rights.

5 E. To avoid duplication of efforts or otherwise conserve agency resources, the Director may suspend or
6 close a case for any reason consistent with this chapter, including the reason that the case is being actively
7 pursued in another forum.

8 F. Remedies under this chapter should include such relief authorized by law as may be appropriate and
9 reasonable to make the aggrieved person whole and eliminate the unfair practice.

10 G. Nothing contained in this chapter is intended to be nor shall be construed to create or form the basis
11 for any liability on the part of the City, or its officers, employees or agents, for any injury or damage
12 resulting from or by reason of any act or omission in connection with the implementation or enforcement of
13 this chapter on the part of the City by its officers, employees or agents.

14 Section 21. SMC 6.202.230, subsection F is hereby amended as follows:

15 SMC 6.202.230 License-Denial, suspension or revocation- Grounds.

16 A license may be suspended, denied or revoked for violation of any ordinance or law which regulates
17 licensed activity in order to further the public interest in public health, safety, and welfare. A license may
18 also be denied, suspended, or revoked upon a finding that:

19 ***

20 F. Has been determined to have discriminated against any person because of race, color, age, sex, marital
21 status, sexual orientation, gender identity, political ideology, creed, religion, ancestry, national origin, or the
22 presence of any sensory, mental, or physical handicap, in the course of licensed activity, in violation of a
23 City ordinance, law, rule or regulation prescribed thereunder; or
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Section 22. SMC 6.02.270 is hereby amended as follows:

SMC 6.02.270 Denial, revocation or suspension of license-Generally.

A. In addition to other penalties provided by law, the Director may deny, revoke, or suspend any license issued under the provisions of this subtitle at any time, where the same was:

1. Procured by fraud, or false representation of fact, or for the violation of, or failure to comply with, any of the provisions of this subtitle by the person holding such license, or any of his/her servants, agents, or employees, while acting within the scope of their employment; or

2. The conviction of the person holding such a license of a felony or misdemeanor involving moral turpitude or an intent to defraud, or the conviction of any agents or employees of any felony, or misdemeanor involving an attempt to defraud committed while acting within the scope of their employment; or

3. If the licensee, any of his/her servants, or agents or employees, while acting within the scope of their employment, violate any law or ordinance relating to the sale or possession of intoxicating liquor, the use, possession, or sale of narcotic drugs, discrimination against any person because of religion, race, age, political ideology, creed, ancestry, color, national origin, sex, sexual orientation, gender identity, marital status, or the presence of any sensory, mental or ~~((sensory))~~ physical handicap, ~~((or age,))~~ or violate any law or ordinance relating to public morality and decency, or with respect to the licenses specified in Section 6.02.190 where the business or activity for which such license was issued has been conducted in a disorderly or improper manner, or in violation of any statute of the state or ordinance of the City, or where the person conducting such business or activity is of unfit character to conduct the same, or where the purpose for which the license was issued is being abused to the detriment of the public, or where such license is being used for a purpose different from that for which it was issued. No license shall be revoked or suspended except in accordance with the procedure provided in this subtitle.

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1 B. The period of revocation shall be at least one (1) year, and the licensee shall not again be licensed for
2 the same kind of business during such period. The period of suspension shall be fixed by the Director at not
3 less than ten (10) nor more than sixty (60) days.

4 C. Conviction of a violation of any provision of this subtitle shall be prima facie evidence sufficient to
5 warrant revocation or suspension of the license.

6 D. It is unlawful for any person whose license has been revoked or suspended to keep the license issued to
7 him in his possession or under his control, and the same shall immediately be surrendered to the Director.
8 When revoked, the license shall be cancelled, and when suspended, the Director shall retain it during the
9 period of suspension.

10 Section 23. SMC 4.80.020 is hereby amended as follows:

11 SMC 4.80.020 Policy.

12 It is the policy of the City to provide a workplace for its employees that is free from discrimination on the
13 basis of race, color, sex, marital status, sexual orientation, gender identity, political ideology, age, creed,
14 religion, ancestry, national origin, or the presence of any sensory, mental or physical handicap. It is also the
15 policy of the City to take strong affirmative action to remedy the effects of past discrimination against
16 minorities, women, handicapped and older workers, and to avoid practices which are suspect and capable of
17 abuse or which have an adverse impact on the opportunities of such groups where it reasonably can to
18 produce an efficient system. By doing so, the City will then be able to provide equal employment and
19 advancement opportunities for all qualified persons and obtain a workforce in which such groups are fairly
20 represented.

21 Section 24. This ordinance shall take effect and be in force thirty (30) days from and after its
22 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
23 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

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1 Passed by the City Council the 30th day of August, 1999, and signed by me in open
2 session in authentication of its passage this 30th day of August, 1999.

3 Joe Acnal
4 President pro tem of the City Council

5 Approved by me this 31st day of August, 1999.

6 Joe Acnal
7 Mayor pro tem.

8
9 Filed by me this 2nd day of September, 1999.

10 Joan E. Lipp
11 City Clerk

12 (Seal)

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109884

City of Seattle, City Clerk

STATE OF WASHINGTON - KING COUNTY

—ss.

No. ORD IN FULL

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: 119628 ORDINANCE

was published on

09/13/99

The amount of the fee charged for the foregoing publication is the sum of \$, which amount has been paid in full.

Subscribed and sworn to before me on

09/13/99

Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

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TIME AND DATE STAMP

RECEIVED

AUG 17 1999

PETER STEINBRUECK
COUNCIL MEMBER

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THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

Peter Steinbrueck

PRESIDENT'S SIGNATURE



C.S. 20 28

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